

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CRISTINA JACKSON,

Plaintiff,

v.

BARBARA MASON, *et al.*,

Defendants

Case No. C06-789RSL

ORDER GRANTING MOTION TO
DISMISS AND DENYING
REQUEST TO RELEASE BOND

This matter comes before the Court on plaintiff's motion for voluntary dismissal and for release of injunction bond (Dkt. #30). The Court previously granted a motion for summary judgment filed by defendant Metropolitan Life Insurance Company ("MetLife") and dismissed all of plaintiff's claims against it. By separate order, the Court vacated an order of default against the only other defendant, Barbara Mason, who is proceeding *pro se*. Mason has not filed any counterclaims and has not opposed this motion. Pursuant to Federal Rule of Civil Procedure 41(a), the Court GRANTS plaintiff's motion for voluntary dismissal of her claims against Mason and dismisses those claims without prejudice.

Plaintiff also seeks an order releasing the injunction bond she filed in King

ORDER GRANTING
MOTION TO DISMISS - 1

1 County Superior Court on June 7, 2006. The King County Superior Court granted a
2 preliminary injunction on June 1, 2006 enjoining MetLife from distributing the proceeds.
3 Defendants subsequently removed the case, but there is no evidence that the bond was
4 ever transferred to this Court. When this Court granted MetLife's motion for summary
5 judgment, it also vacated the preliminary injunction "because Mason was the proper
6 beneficiary, and MetLife appropriately paid the proceeds into the TCA on her behalf."
7 (Dkt. #29). Now that the injunction has been vacated and all claims in this case have
8 been dismissed, releasing the bond is appropriate. However, this Court lacks authority
9 to release the injunction bond filed in King County Superior Court or to order that court
10 to release the bond. If plaintiff seeks that relief, she should move the King County
11 Superior Court to release the bond, or move it to transfer the bond to the registry of this
12 Court so that this Court can release the bond. Accordingly, the Court denies plaintiff's
13 request to release the bond.

14 The Clerk of the Court is directed to enter judgment granting defendant MetLife's
15 motion for summary judgment, dismissing plaintiff's claims against MetLife with
16 prejudice, and dismissing plaintiff's claims against defendant Mason without prejudice.

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18 DATED this 5th day of July, 2007.

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21 Robert S. Lasnik
22 United States District Judge